

CHAPTER 14 FLEXIBLE CONGESTION RELIEF (FCR)

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CHAPTER 14 FLEXIBLE CONGESTION RELIEF (FCR)

14.1 INTRODUCTION

The FCR program gives both rural and urban regions in California the opportunity to compete for State funding for projects designed to relieve traffic congestion by increasing the capacity of the transportation system. FCR is the only State program available in urbanized areas to fund new State highways or major expansions of existing State highways.

The intent of the FCR program is to reduce and avoid congestion, based upon current year traffic conditions, on existing streets, roads, highways, and commuter and urban rail systems that carry a significant portion of regional traffic and goods through major transportation corridors. This intent is to be accomplished by increasing the vehicle or person capacity of either the congested facility itself or the adjacent roadways or commuter and urban rail transit systems.

FCR projects may include constructing new roadways and rail systems, modifying or expanding existing roadways and rail systems, or traffic flow improvements that increase vehicle or person capacity of a facility. Each project, alone or as an element of a larger project, is expected to be the most cost effective alternative for reducing traffic congestion along a corridor.

Proposed FCR projects should emphasize integrated and coordinated solutions to congestion. Proposed projects along a corridor may add capacity on any portion of the transportation system if the net effect is to relieve congestion along the corridor. Projects must support and be consistent with Regional Transportation Plans, and projects in urbanized counties must be included in a Congestion Management Program. A project also must be included in a Regional Transportation Improvement Program (RTIP) before the California Transportation Commission (CTC) will consider it for funding from the FCR program and include it in the STIP.

Note: the guideline and the procedures in this chapter are only for local agency highway improvement projects using FCR funds. Local agency that have or would like FCR funds programmed for transit projects should contact the Caltrans District Planning Office in their area for information.

FCR RELATED LEGISLATION

Section 164 of the Streets and Highways Code implements the provisions of SB 300 and AB 471 which we enacted in 1989. Guidelines for the Flexible Congestion Relief Program (FCR) were approved by the CTC on June 14, 1990, and amended on September 12, 1991.

Legislation established a ten-year State Transportation Funding Plan, which includes \$3.0 billion in new funds for the Flexible Congestion Relief Program

DEFINITIONS

These definitions apply to the Flexible Congestion Relief program:

Congestion: occurs when an existing route operates at an unacceptable level of service based upon the traffic conditions that exist when a project is nominated for inclusion in the STIP.

Existing routes: are those streets, roads, highways and commuter or urban rail transit systems that carry a significant portion of regional traffic and goods through the major transportation corridors or networks identified in Regional Transportation Plans. The existing system for highways and roadways in counties with urbanized areas is that system designated in Congestion Management Programs for standards regarding traffic level of service.

Capacity: is the maximum rate at which vehicles or persons reasonably can be expected to traverse a section of roadway or rail corridor under prevailing conditions

14.2 FUNDING OF THE FCR PROGRAM

The original Legislative intent was to fund the FCR Program with State funds. From February of 1994 until August 1996 a shortage of State funds in the State Highway Account (SHA), resulted in FCR projects, not yet voted by the CTC, to be funded with a combination of State and Federal funds. Now, all local FCR projects, that have not been voted by the CTC, will be funded with State funds only, except those projects that will be on the State highway system. For local FCR projects on the State highway system determination of the funding will be made on a project by project basis.

FCR projects, utilizing State only funds, must comply with the "*Financial Guidelines for Local Agency Reimbursement*". These Guidelines describe the reimbursement process for State only funded, not Federal funded projects with State match. These guidelines are included in their entirety in the "Appendix" section of this manual.

Projects are ineligible for FCR program funding if they primarily are safety improvements, operational improvements that do not increase capacity, or rehabilitation or maintenance improvements. Purchase or rehabilitation of guideway rolling stock are ineligible for funding from the FCR program.

FCR funds can be spent only for public facilities. However, the private sector is encouraged to work with the public sector in proposing and implementing roadway and rail solutions to congestion.

The *Financial Guidelines for Local Agency Reimbursement* limit capital support costs to 20 percent and 15 percent of the construction costs for preliminary engineering and construction engineering, respectively, on all FCR projects.

Note: The STIP Fund Estimate no longer automatically sets aside funds for capital support (change from what is stated on page 13 of the *Financial Guidelines for Local Agency Reimbursement*). Local agency that want to be reimbursed for support costs need to have support costs programmed, see "Procedures" section.

14.3 PROJECT ELIGIBILITY

To be eligible for FCR program funding, a project should be proposed by a local public agency that is authorized under law to implement the project.

Roadway projects throughout California are eligible for funding under the FCR program. Commuter and urban rail transit projects within certain counties, as specified by Article XIX of the State Constitution, are also eligible for funding under the FCR program.

A project must reduce or avoid congestion on existing routes by increasing the capacity of the transportation system if it is to be eligible for funding under the FCR program. Projects may be on any city street, county highway, State highway, commuter rail corridor or urban rail corridor if they reduce or avoid congestion on existing routes. In some rural counties where no significant congestion is found, FCR projects may be proposed for eligible routes with the highest priority needs for traffic improvements in the county.

PROJECT TYPES

FCR projects are those designed to reduce or avoid congestion on existing routes by increasing capacity of the transportation system, including new facilities. Examples of eligible projects include:

- Lane additions, including mixed flow lanes, high occupancy vehicle lanes, auxiliary lanes, exclusive busways, and bicycle lanes. Lane additions may be accomplished by roadway widening or restriping.
- New roadways and upgrading of existing roadways (for example, conversion from expressway to freeway).
- New and modified interchanges, and grade separations of both intersections and guideway facilities. Federal approval for interchange spacing must be cleared before nominating a project in a RTIP. The CTC will examine closely any local interchange projects that do not meet its 1984 Interchange Policy, which defines a local funding share that corresponds to traffic and growth of a local nature, and may decline to program such projects.
- Geometric roadway and guideway improvements.
- Traffic flow improvements that increase the vehicle or person capacity on roadways or rail corridors.
- New guideway roadbed, and upgrading of existing roadbed facilities, guideway structures, and superstructure trackwork, including mainline facilities, double-tracking, crossovers, sidings and storage tracks, grade crossings, signalization, trolley, overheads, and electrification.
- Park and ride facilities, guideway station parking facilities, multi-modal guideway passenger stations, and guideway boarding facilities.
- A combination of any of the examples listed above.

COSTS

All identifiable costs of (or related to) a capital project may be funded under the FCR program. These include the “support” costs of environmental studies, preliminary engineering, preparation of plans, specifications and estimate (PS&E), right of way activities, and construction engineering, and the “capital” costs of right of way acquisition, utility relocation and construction. Eligible costs for local agencies are subject to allocation by the CTC.

FCR projects do not require a local funding match

14.4 PROGRAMMING PROCEDURES

STATE PROGRAMMING

Flexible Congestion Relief projects comprise one element of the State Transportation Improvement Program (STIP), and are subject to the procedures for developing that programming document.

Projects located in an urbanized area first must be included in a county’s Congestion Management Program (CMP), which includes a capital improvements program that reflects local needs, priorities, and commitments.

All FCR projects must be included in a Regional Transportation Improvement Plan (RTIP) to assure conformity with local and regional transportation plans and with regional air quality management plans.

The State Transportation Improvement Program (STIP) is comprised of projects nominated in the RTIP for CTC funding, and matches each project with funds from one or more State or Federal programs and targets each project for a specific implementation date. RTIPs are submitted to the CTC by December 1 of each odd-numbered year, together with the Proposed STIP that is prepared by Caltrans. The STIP is adopted by the CTC by April 1 of each even-numbered year.

Local agencies which now have FCR projects programmed in the STIP for capital costs, but not for support costs, should process a STIP amendment through their District Local Assistance Engineer (DLAE) if the local agency wants to be reimbursed for support costs.

PROCEDURES

The following discussion outlines indicates the steps for initiating a project and getting it nominated and approved for funding from the FCR program.

The local agency selects a project and develops the project concept, identifying objectives, the general level of improvement or service, operating standards, and the target date for project completion.

The local agency submits candidate FCR projects to the regional planning agency for inclusion in the Regional Transportation Plan (RTP). Submittals should include both support and capital costs. Projects located in an urbanized area must be included in an adopted CMP before they can be nominated for the FCR program.

Each regional agency prepares a RTP, develops a regional FCR program, includes the FCR program in the RTIP, and submits the RTIP to Caltrans and the CTC. RTIP should include both support and capital costs. FCR projects must be submitted to the CTC on a single list that combines both highway and transit projects.

CTC CRITERIA

Each region may use its own criteria to develop priorities for FCR projects, but also should consider the CTC's project evaluation criteria listed in Exhibit 14-A.

FCR projects may be nominated for the STIP before final environmental clearance, and thus before a final alternative has been selected. The cost shown in the RTIP should be for the most probable alternative. The CTC may reevaluate the project's scope and funding after the environmental report is completed to reflect the preferred alternative.

Very high cost projects should be divided into phases or stages. Such projects are those that exceed the five-year county minimum, those that cost more than \$10 million and significantly exceed the remaining margin in a county minimum within a county's priorities, or those for which only an early stage can be delivered during the seven-year period of the STIP.

Additional funds for an FCR project that already is in the STIP and that needs a cost increase greater than 20 percent must be nominated for the program for the next STIP.

The CTC will use stated criteria to compare projects among regions for State discretionary funding, and each project should provide information for that comparison.

PROJECT INFORMATION SHEET

A project information sheet for each proposed FCR project must be included with each RTIP and Proposed STIP. The sheet must identify a contact person for the project, include a map and summarize the key elements of a project, including the location, description, scope, costs, sources of financing, current travel conditions, relationship to other projects, and factors making the project eligible. For project information sheet format, see Exhibit 14-B "FCR Project Information Sheet".

PROJECT EVALUATION SHEET

A project evaluation sheet for each proposed FCR project also must be included with each RTIP and Proposed STIP. This sheet is based upon the project evaluation criteria of the FCR guidelines, and is used by the CTC to compare competing projects from different regions for relative priority. For project evaluation sheet format, see Exhibit 14-C "FCR Project Evaluation Sheet".

PROJECT STUDY REPORT

A Project Study Report (PSR) or its equivalent must be completed before a proposed FCR project may be included in the STIP.

For projects on the State Highway System, a PSR must be completed by the implementing agency and approved by Caltrans. Refer to Caltrans' Project Development Procedures Manual for information on how to prepare a PSR.

FCR projects off the State Highway System require preparation of an equivalent report complying with PSR procedures. The report is to be approved by the local agency that owns, operates and maintains the affected facility.

An equivalent report is completed for a project on a commuter or urban rail corridor, according to the requirements of the Supplemental Information Package contained in Appendix A of the *Commuter and Urban Rail Transit Program Guidelines*. Copy of the Guidelines are available through your DLAE.

INCLUDE PROJECTS IN STIP

The CTC, in approving the STIP, will rely on regional priorities for FCR projects within a region or county, but will use its evaluation criteria (Exhibit A) to compare competing FCR projects from different regions for relative priority. The CTC does not intend to develop a statewide priority list of all proposed FCR projects.

Each FCR project is subject to screening, quantitative and qualitative criteria. The CTC expects all projects to meet all screening criteria. It will examine closely any project where one or more of the screening criteria are not met, and may dismiss from consideration without prejudice any project proposal that does not meet all screening criteria, after finding out why.

The CTC may make relative comparisons between projects from different regions using quantitative criteria. For the FCR program, information or estimates on vehicle occupancy or load factor demand/capacity ratio, and delay are critical. The cost used in determining cost effectiveness should be the total project cost for right of way and construction, regardless of funding source. The CTC will examine project justification and qualitative criteria for other supportive information that may be influential in comparing projects.

Funds (capital and support) programmed in the STIP and allocated to projects from the FCR program are applied toward meeting the county minimum funding level of the county in which the project is located. To meet county minimums, the CTC may include projects in the STIP which may not satisfy all of the project evaluation criteria.

14.5 PROJECT DEVELOPMENT CONSIDERATIONS

The annual FCR plan includes both State and locally sponsored projects. Project development and contract administration is generally completed by the local agency if the project is off the State Highway System and by Caltrans if the project is on the State Highway System.

For projects off the State highway, local agencies are typically assisted by the Office of

Local Programs (OLP) in Sacramento and by the appropriate Caltrans District Local Assistance Engineer (DLAE) for the project location.

For projects on the State Highway System, sponsored and administered by a local agency, all work must be designed, right of way acquired and constructed in accordance with State standards, policies and procedures. In addition, the local agency must perform all work under an encroachment permit from Caltrans. Depending on the nature of the project and costs involved, a cooperative agreement between the local agency and State may also be required. The formats and procedures and for preparing cooperative agreements are found in the Caltrans Cooperative Agreement Manual.

Projects on city streets and county roads will be developed according to standards established in Chapter 11, "Design Standards" of the *Local Assistance Procedures Manual*. Projects on city streets and county roads also must be consistent with the Pavement Management Program adopted by the Joint City/County/State Cooperative Committee. The Pavement Management Program requires a biennial self-certification by a local entity as a condition of receiving FCR funding. That certification must be provided to the appropriate regional agency, which will certify that all local agencies having city street and county road projects covered by the RTIP have completed the required biennial self-certification form. See Chapter 4 "STP", Exhibit 4-A Pavement Management System Certification.

14.6 PROJECT ALLOCATION REQUESTS, FUNDS REQUESTS AND AGREEMENTS

The reimbursement process is typically initiated by submittal of a project allocation request by the local agency to the Caltrans DLAE. Local agencies must follow the project allocation request outline found on page 15 of the "Financial Guidelines for Local Agency Reimbursement".

The DLAE is responsible for reviewing the project allocation request for the following items:

- project description, scope and cost
- completed environmental document
- estimated award date
- estimated date of completion
- cash expenditure and reimbursement plan

The DLAE shall compare the project description (scope and cost) of the project allocation request with the original "Project Information Report". If a scope or cost change has occurred, the DLAE shall have the local agency submit written justification with the project allocation request explaining why the change should be approved by the CTC. Upon satisfactory review by the DLAE, the project allocation request and any justification for cost or scope changes is forwarded to the OLP.

Following review of the allocation request by the OLP, a “funds request” with recommendations is prepared and forwarded to the Caltrans Headquarters Budgets Program. (The funds request will also include a request to transfer funds to Local Assistance control.) The Budget Program includes the request on the CTC agenda and prepares the book item. All local agency prepared project allocation requests should be received in the District approximately sixty days before the scheduled CTC meeting. Project allocation requests for all FCR projects must be received by the OLP by May 1 of the project program year. The DLAE will notify the local agency when the CTC approves or disapproves the project funds request or if Caltrans Budgets Program disapproves the request prior to submittal to the CTC.

To minimize the number of project allocation requests prepared by a local agency, processed by Caltrans and acted upon by the CTC, allocation requests for FCR projects with right of way and construction costs of \$300,000 or less are not to be made until the project is ready for construction (ready to advertise). The request should include preliminary engineering (if programmed), right of way and construction, as appropriate. For FCR projects with right of way and construction cost of \$300,000 or more it is requested that the project allocation request not be made until the project is ready for construction, whenever possible.

On May 3, 1995, the CTC adopted Resolution G-95-05 (replacing Resolution G-93-04) defining a “Policy for Allocation of Capital Support Funding for Local Grant Programs”. This policy delegates to Caltrans the authority to reimburse local agencies for capital support work without CTC approval of the “Funds Request”. The intent of this resolution is to simplify the process and reduce the number of funds request submitted to the CTC.

The “Financial Guidelines for Local Agency Reimbursement” allow local agencies to request early project allocation requests and the CTC may approve a funding allocation up to three months before the fiscal year in which work is to be started. Capital outlay work (R/W acquisition, construction and construction engineering) shall not begin until an individual project fund request is approved by the CTC, or the local agency notifies the OLP and the CTC that it intends to start capital outlay work (award a construction contract) on a risk basis prior to a CTC funding allocation. The regional planning agencies should also be notified by the local agency if a FCR project is to be advanced.

The “Financial Guidelines for Local Agency Reimbursement” require that all FCR projects have agreements executed between Caltrans and the local agency. The OLP is responsible for preparing and providing the local agency with a “Master Agreement” which covers broad program requirements and a Program Supplemental Agreement which covers project specific requirements.

The DLAE reviews the request and submits it to the OLP. The OLP reviews the request, prepares a funds request with recommendations and forwards it to the Budgets Program for CTC action. Following approval of the funds request by the CTC, the OLP sends a project specific Program Supplemental Agreement to the local agency. Upon execution of the agreement by the State and local agency, State funds are available for reimbursement and the local agency may begin submitting invoices.

Local agencies can only apply for reimbursement up to the total amount (capital and support) in the STIP. Savings in an early stage (preliminary engineering) of a project may be used to cover cost increases in a later stage (construction), as described in Section VI-B of the Financial Guidelines. Any costs beyond this amount must be covered by the local agency.

14.7 AWARD INFORMATION

Award information is necessary to report on the status of FCR projects to the CTC. Proof of award shall be provided to the DLAE by the local agency, and forwarded to the OLP prior to submittal of invoices for construction. Local agencies which do not anticipate award of their project within the fiscal year the project is programmed must explain in writing the reasons for the delay and when progress will commence. The deadline for the written explanation by the local agencies to the DLAE is December 30 of the fiscal year the FCR funds were programmed. The OLP will forward the explanation, with a Department recommendation approved by the Deputy Director of Finance, to the CTC. The CTC will decide whether or not to withdraw funding.

14.8 PROJECT COMPLETION

Project completion procedures are covered in the CTC's Financial Guidelines, in the attached Appendix, and in Chapter 17 "Project Completion" in *the Local Assistance Procedures Manual*.

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EVALUATION CRITERIA FOR FLEXIBLE CONGESTION RELIEF (FCR) PROJECTS

Screening Criteria:	The CTC expects all project to meet all of these Screening Criteria:
1. Current Congestion	The subject facility or corridor is congested as defined earlier.
2. Regional Approval	For all regional agencies, the project is consistent with the most recent update of the Regional Transportation Plan. For regional agencies with urbanized counties, the project is included in the most recent update of the Congestion Management Program.
3. Air Quality	For non-attainment areas, the project is consistent with a regional transportation plan which has been determined by the regional agency to conform with the current local Clean Air Attainment Plan (See Implementation Plan).
4. Project Study Report	A project study report or its equivalent has been completed for the project.
5. Ability to Maintain and Operate	The implementing agency certifies willingness and ability to maintain and operate the facility once the improvement is completed.
6. Pavement Management Certification	The responsible local agency has certified it complies with the Pavement Management Program adopted by the joint City/county/State Cooperative Committee.
Quantitative Criteria:	Projects satisfying the Screening Criteria may be compared for relative priority according to the following Quantitative Criteria, which are not necessarily arranged in order of importance. For those criteria concerned with future year projections, the year 2000 or another readily available horizon about 10 years out will be used. For those criteria concerned with project costs, total capital cost for right of way and construction is to be used, regardless of funding source.
1. Existing Facilities and Conditions	Existing conditions and congestion will be determined by a number of measures that should be readily available or could be readily estimated. These measures at present include: <ul style="list-style-type: none"> • Existing capacity, in vehicles/hour for roads and persons/hours for transit services. • Average daily traffic or daily ridership • Peak hour travel conditions, for vehicles and persons, particularly including vehicle occupancy for roads and load factor for transit services, and demand/capacity ratio during the peak hour. • Duration of peak transit load or highway level or service E or F, in hours/week. • Estimated delay to drivers or transit riders from recurrent congestion conditions, in hours/years.
2. Project Improvements	The same general factors examined for the existing facility and conditions should be forecasted or estimated for conditions after the project has been built, about 10 years in the future. As described above, the CTC expects to change the exact criteria used for future STIPs, parallel with the criteria

examined for existing facilities and congestion.

3. Cost Effectiveness

The CTC needs a rough indication of cost effectiveness, from data that is readily available, using a methodology that is reasonably simple. At present, the two measures of cost effectiveness will be:

- *Capital Cost/Added Capacity.* This is the cost of the improvement divided by the change in person capacity (at the assumed vehicle occupancy for road projects and at full vehicle load for transit projects) provided by the project.
- *Capital Cost/Delay Saved.* This is the cost of the project divided by the difference between estimated delay after about 10 years without the project versus estimated delay after about 10 years if the project is built.

4. Local Financial
Participation

This is the amount of State and Federal funding as a percentage of the total capital cost of the project, including any local or private financial contribution for right of way or construction.

Qualitative Criteria

The following criteria also may be used to compare relative priorities of competing FCR projects. They are subjective and are not listed in any relative order of importance.

1. Modal Integration

The degree to which the project integrates alternative transportation modes (for example, HOW facilities for rideshare vehicles and busses, rail transit, park and ride facilities, pedestrian and bicycle facilities). The degree to which a roadway project accommodates bicycle travel, either through designated facilities, or by providing suitable lane or shoulder width, surface quality, and signal detection for shared use by bicycles and vehicles. The degree to which a guideway project is coordinated with and provides connections to other commuter and urban rail transit and intercity rail services (if applicable).

2. System Linkage

The degree to which the project is part of an integrated program to solve congestion within a larger system setting. The degree to which the project is compatible with or enhances adjacent projects. The relative role of the project among improvements in a congestion management program (CMP).

3. Trip Generators

The degree to which the project serves major trip generators (for example, airports, seaports, freight rail centers, commercial and industrial centers, and recreational facilities).

5. Freight Movement

The degree to which freight traffic is expedited and congestion is reduced by modifying truck or rail traffic.

PROJECT INFORMATION SHEET
highway, street & road

[map goes here]

- COUNTY: _____ ROUTE: _____ PM: _____
- PROJECT LOCATION: _____
- PROPOSED PROJECT: _____
- EXISTING CONDITIONS: Facility: _____
Avg. Daily Traffic: _____ Demand (Peak Hr.)/Capacity: _____
Congestion: _____ hrs/week _____ Level of Service (LOS) & Speed _____
- CAPITAL COST: 1991 \$ _____
ESCALATED \$ _____ FY: _____
- PROPOSED FUNDING:
State Program: _____
Other Project Funding: _____
- REGIONAL PRIORITY: _____ of _____

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PROJECT EVALUATION SHEET

highway, street & road projects

- County: _____ Route: _____ PM: _____
- Project Location: _____
- Existing Facility: _____
- Proposed Project: _____
- Capital Cost: _____ 1991 \$ _____ Escalated \$: FY _____
- Project Development: _____
- Right of Way: _____
- Construction: _____
- Total: _____

CTC SCREENING CRITERIA		Yes	No
A.	Existing congestion _____		—
B.	Consistent with Regional Transportation Plan _____		—
	Consistent with Congestion Management Program _____		—
C.	In a plan with air quality conformity finding _____		—
D.	Project Study Report complete _____		—
E.	Willing and able to maintain and operate _____		—
	Pavement Management certification _____		—

CTC QUANTITATIVE CRITERIA

1.	Existing Facility & Condition:	Current	10 Years (Yr 2000)
	• Capacity (Veh/Hr)	_____	_____
	• Average Daily Traffic	_____	_____
	• Peak Hour: Volume (Veh/Hr)	_____	_____
	(Pers/Hr)	_____	_____
	1 direction or both	_____	_____
	Level of Service & Speed	_____	_____
	Veh Occupancy (Est'd)	_____	_____
	Demand/Capacity	_____	_____
	• Duration of LOS E or F (Hr/Wk)	_____	_____
	• Estimated Person Delay (Hr/Yr)	_____	_____
	• % Trucks	_____	_____
2.	Project Improvements		10 Years (Yr 2000)
	• Capacity after project (Veh/Hr)		_____
	• Peak Hour: Volume (Pers/Hr.)		_____
	Level of Service & Speed		_____
	Demand/Capacity		_____
	• Duration of LOS E or F (Hr/Wk)		_____
	• Estimated Person Delay (Hr/Wk)		_____
3.	Cost Effectiveness		
	Capital cost/added capacity		_____
	Capital cost/delay saved		_____
4.	Local Financial Participation: State \$= _____ % of Total Capital Cost		

PROJECT EVALUATION SHEET
additional optional project information

- PROJECT JUSTIFICATION

CTC QUALITATIVE CRITERIA (optional)

1. Modal Integration:

2. System Linkage:

3. Trip Generators:

4. Community, Environmental, Energy:

5. Freight Movement: